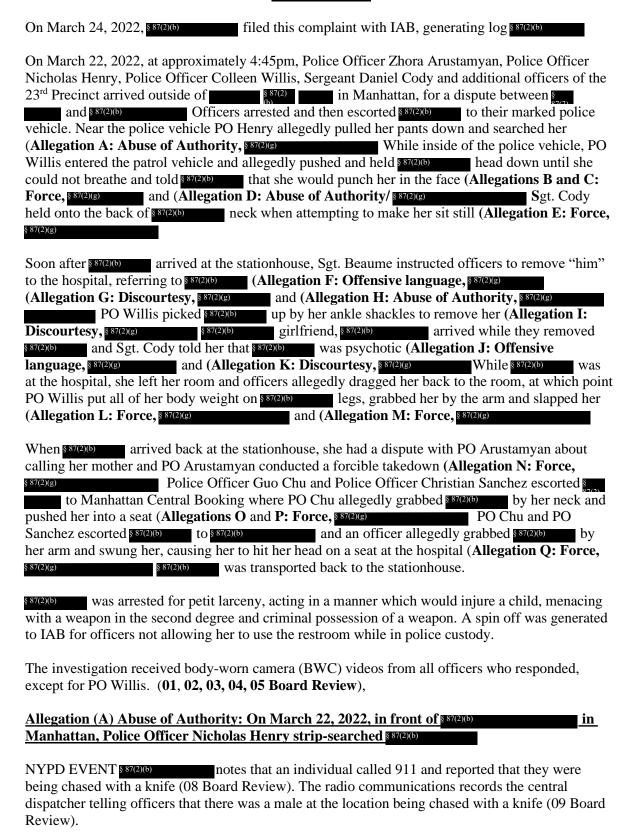
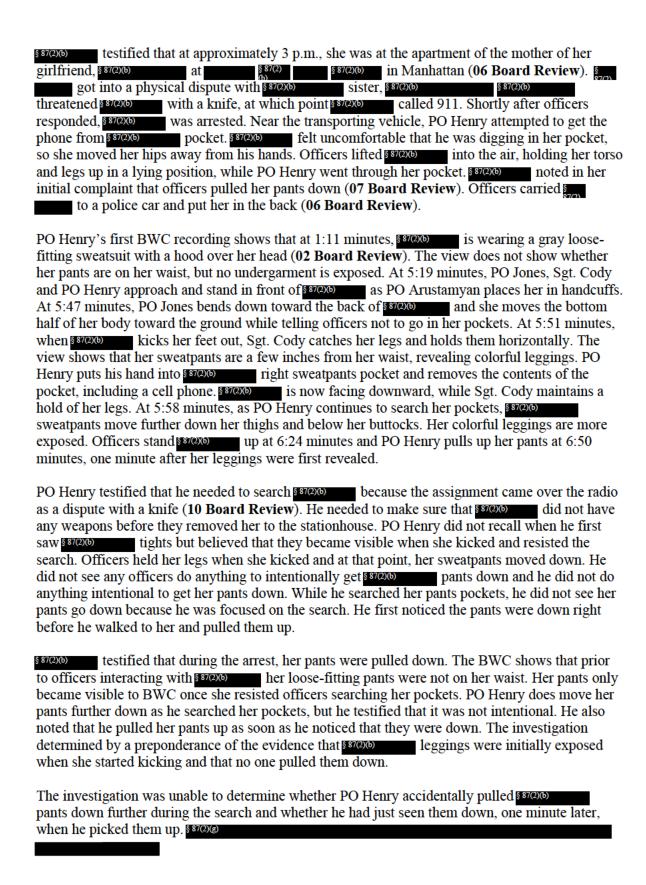
CCRB INVESTIGATIVE RECOMMENDATION

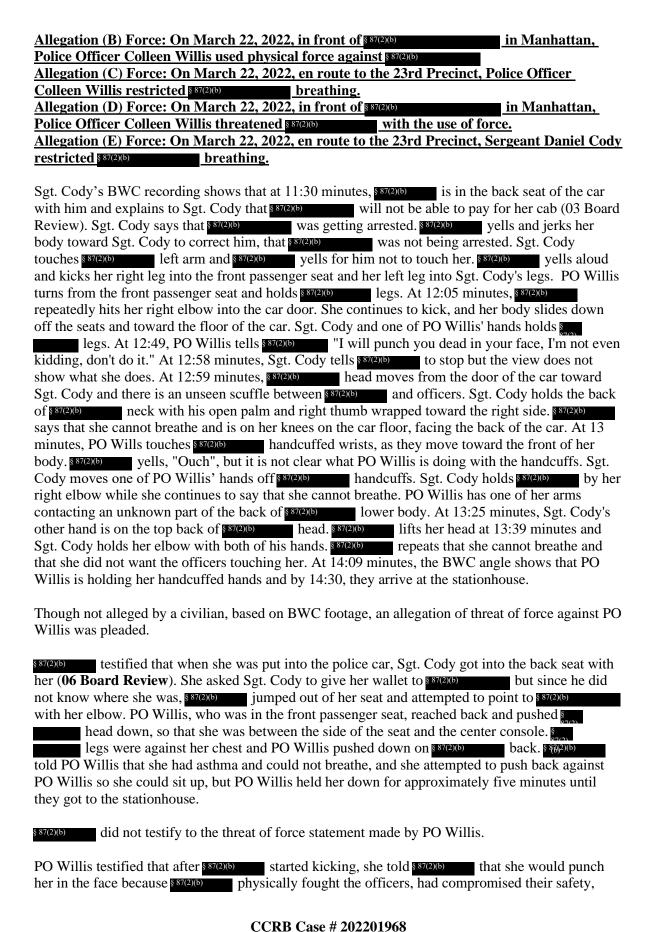
Investigator:		Team:	CCRB Case #:	▼ Force	✓ Discourt.	U.S.
				_	_	_
Tileyah Williams		Squad #6	202201968	✓ Abuse	O.L.	☐ Injury
Incident Date(s)		Location of Incident:	•	Precinct:	18 Mo. SOL	EO SOL
Tuesday, 03/22/2022 4:45 PM 03/22/2022 5:00 PM, Tuesday 5:30 PM, Tuesday, 03/22/2022 Tuesday, 03/22/2022 8:5	y. 03/22/2022	§ 87(2)(b) stationhouse , § 87(2)(b) MCB § 87(2)(b)	23rd Precinct	23	9/22/2023	9/22/2023
Date/Time CV Reported		CV Reported At:	How CV Reported	: Date/Time	e Received at CC	RB
Thu, 03/24/2022 12:15 AM		IAB	E-mail	Tue, 03/29	9/2022 8:45 AM	
Complainant/Victim	Туре	Home Addre	ess			
Subject Officer(s)	Shield	TaxID	Command			
1. SGT Daniel Cody	02277	954648	023 PCT			
2. PO Guo Chu	16954	959550	023 PCT			
3. PO Zhora Arustamyan	22327	968248	023 PCT			
4. SGT Nestor Beaume	00433	932310	023 PCT			
5. Officers			023 PCT			
6. An officer			023 PCT			
7. PO Colleen Willis	07822	964838	023 PCT			
8. PO Nicholas Henry	07642	941891	023 PCT			
Witness Officer(s)	Shield No	Tax No	Cmd Name			
1. PO Steve Sanchez	13400	966833	023 PCT			
2. SGT Jaime Feliciano	04712	922330	CMD LVL TRN			
3. SGT James Walsh	04503	951414	023 PCT			
4. PO Jarree Jones	22918	962505	023 PCT			
5. LT Daniel Talleyrand	00000	947531	023 PCT			
6. SGT Julio Santana	03166	937485	023 PCT			
7. SGT Daniel Levy	01251	955060	023 PCT			
Officer(s)	Allegation	n		Inv	estigator Recor	nmendation
A.PO Nicholas Henry		n March 22, 2022, in fr tan, Police Officer Nic		earched		
B.PO Colleen Willis		Force: On March 22, 2022, en route to the 23rd Precinct, Police Officer Colleen Willis used physical force against				
C.PO Colleen Willis		March 22, 2022, en ro ficer Colleen Willis res				
D.PO Colleen Willis		n March 22, 2022, in fr tan, Police Officer Col with the use of f	leen Willis threaten	ed		

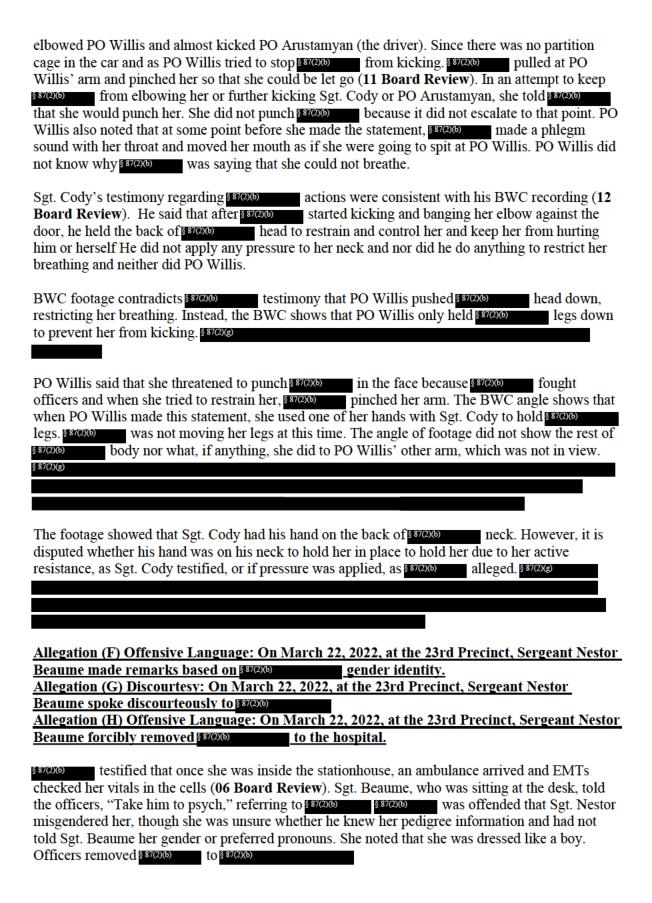
Officer(s)	Allegation	Investigator Recommendation
E.SGT Daniel Cody	Force: On March 22, 2022, en route to the 23rd Precinct, Sergeant Daniel Cody restricted breathing.	
F.SGT Nestor Beaume	Off. Language: On March 22, 2022, at the 23rd Precinct, Sergeant Nestor Beaume made remarks based on gender identity.	
G.SGT Nestor Beaume	Discourtesy: On March 22, 2022, at the 23rd Precinct, Sergeant Nestor Beaume spoke discourteously to \$87(2)(b)	
H.SGT Nestor Beaume	Abuse: On March 22, 2022, at the 23rd Precinct, Sergeant Nestor Beaume forcibly removed 887(2)(b) to the hospital.	
I.PO Colleen Willis	Discourtesy: On March 22, 2022, at the 23rd Precinct, Police Officer Colleen Willis acted discourteously toward \$\frac{87(2)(b)}{2}\$	
J.SGT Daniel Cody	Off. Language: On March 22, 2022, outside of Sergeant Daniel Cody spoke offensively regarding actual or perceived disability.	
K.SGT Daniel Cody	Discourtesy: On March 22, 2022, outside of \$87(2)(b) Sergeant Daniel Cody spoke discourteously to \$87(2)(b)	
L. Officers	Force: On March 22, 2022, at \$87(2)(b) in Manhattan, officers used physical force against \$87(2)(b)	
M.PO Colleen Willis	Force: On March 22, 2022, at S87(2)(b) in Manhattan, Police Officer Colleen Willis used physical force against S87(2)(b)	
N.PO Zhora Arustamyan	Force: On March 22, 2022, at the 23rd Precinct stationhouse, Police Officer Zhora Arustamyan used physical force against \$87(2)(5)	
O.PO Guo Chu	Force: On March 23, 2022, at 100 Centre Street in Manhattan, Police Officer Guo Chu used a chokehold against \$87(2)(b)	
P.PO Guo Chu	Force: On March 23, 2022, at 100 Centre Street in Manhattan, Police Officer Guo Chu restricted breathing.	
Q. An officer	Force: On March 23, 2022, at \$\frac{8.87(2)(b)}{2} in Manhattan, an officer used physical force against \$\frac{8.87(2)(b)}{2}	

Case Summary





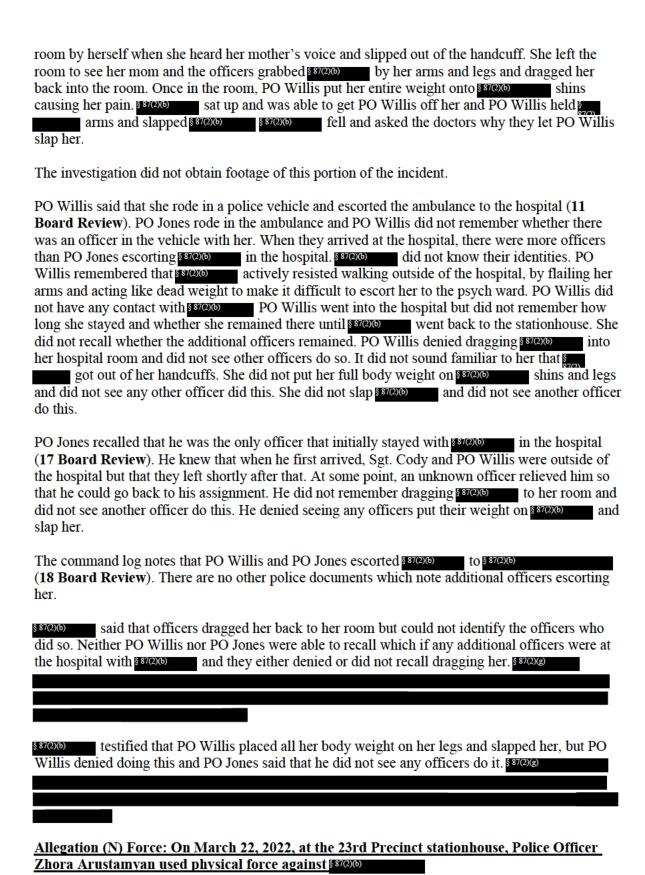




PO Jones' second BWC video records that at 1:00 minute, \$87(2)(6) is wearing a balaclava hat over her mouth and yells that if she is not allowed to speak with her mom at that moment, then she will not go to the hospital (04 Board Review). They are inside of the stationhouse near the entrance and two paramedics are standing nearby. Sgt. Beaume is heard in the background saying, "Take him to psych." At 1:22 minutes, as officers escort §87(2)(0) out of the stationhouse, she drops herself to the floor and says that she does not want to go to the hospital. Officers proceed to remove her to the hospital. Sgt. Beaume testified that he had \$87(2)(6) removed to the hospital because she was emotional, yelling, changing her decision about wanting to go to the hospital, and since she had her face covered when she previously said that she had asthma and could not breathe (13 Board Review). After listening to PO Jones' BWC recording, Sgt. Beaume maintained that he said, "take her to psych." He noted at this point, he knew that \$87(2)(6) was a female. The investigation noted that throughout his CCRB interview, Sgt. Beaume referred to \$87(2)(6) as a male at least twice, saying he at 4:13 minutes and him at 4:45 minutes. Members of service should address the public using pronouns, titles of respect and preferred name appropriate to the individual's gender identity/ expression as expressed by the individual Administrative Guide 304-06 (15 Board Review). PO Sealy heard Sgt. Beaume say, "take him to psych" and that is what it sounds like on PO Jones' BWC recording but Sgt. Beaume says that he said, "her." In considering the Administrative Guide statement, § 87(2)(b) was "dressed like a boy," by her own testimony, did not tell Sgt. Beaume her preferred pronouns and so although Sgt. Beaume said that \$87(2)(6) appeared to be a woman, he could not have been sure. Sgt. Beaume referred to as he and him during his interview § 87(2)(g) An emotionally disturbed person is a person who appears to be mentally ill or temporarily deranged and is conducting themselves in a manner which a police officer reasonably believes is likely to result in serious injury to himself or others NYPD Patrol Guide Procedure 221-13 (14 Board **Review**). Emotionally disturbed individuals should be removed to the hospital in an ambulance. Sgt. Beaume explained that he had § 87(2)(6) removed to the hospital because she yelled, changed her decision multiple times about wanting to go to the hospital and since she mentioned having asthma and not being able to breathe. The BWC showed that did complain that she could not breathe \$87(2)@ § 87(2)(g) Allegation (I) Discourtesy: On March 22, 2022, at the 23rd Precinct, Police Officer Colleen Willis acted discourteously toward Allegation (J) Offensive Language: On March 22, 2022, outside of \$87(2)(6) Sergeant Daniel Cody spoke offensively regarding ss/Q)(6) actual or perceived disability. Allegation (K) Discourtesy: On March 22, 2022, outside of §87(2)(b) Sergeant Daniel Cody spoke discourteously to PO Jones' second BWC recording shows that at 1:23minutes, after \$87(2)(6) bends her knees, drops her body to the floor and says that she does not want to go to the hospital. PO Willis picks her

up by holding the chain of her ankle shackles (04 Board Review). PO Willis holds \$87(0)(0)

horizontally by her ankle shackles from 1:26 minutes to 1:32 minutes while she walks her to a seated stretcher. §87(2)(6) yelled out in pain during this time. Sgt. Cody's third BWC recording shows that at 1:30 minutes, he walks out of the stationhouse, is being removed to the hospital (05 Board Review). §87(2)(6) was outside the station house. At 2:49 minutes, Sgt. Cody approaches \$87(2)(0) who says that she needs to know where \$3000 is going. Sgt. Cody says that \$3000 is going to the hospital because she is psychotic. testified that after Sgt. Beaume told officers to remove \$57(2)6 to the hospital, PO Willis and PO Jones picked her up by her arms and legs and carried her out to the ambulance (06 Board Review). [87(2)(6) did not know why she was being carried and tried to grab onto a door frame from behind her while she was in handcuffs. Once outside, the EMTs put \$87(2)(b) orange chair with wheels on it. PO Jones rode in the ambulance with second to the hospital and helped her call her mother on the way there. §\$(2)(b) became unavailable, and the investigation was unable to obtain her medical records. did not testify to these allegations, and they are being pled based on BWC footage. PO Willis testified that she carried store by her ankle shackles because they had been dealing for 30 minutes during which she was actively kicking officers and fought throughout the incident (11 Board Review). PO Willis said that if she did not grab [570] legs, she would have kicked EMTs and officers. Sgt. Cody testified that he was describing \$3000 behavior as psychotic because she tried to hurt herself in his vehicle and had kicked him (12 Board Review). Members of service must value human life, respect the dignity of each individual and render services with curiosity and civility NYPD Patrol Guide Procedure 200-02 (16 Board Review). Using discourteous or disrespectful remarks regarding another person's age, ethnicity, race, gender, sexual orientation, or disability is prohibited Administrative Guide 304-06 (15 Board Review). PO Willis said that she picked \$ 87(2)(6) up and carried her by her ankle shackles because of behavior, including that she was kicking officers at that point. The BWC shows that bent her knees and had dropped her body down to the floor, and that she was not kicking officers. § 87(2)(g) Though Sgt. Cody testified that he was describing \$87(2)6) behavior as psychotic § 87(2) Allegation (L) Force: On March 22, 2022, at \$87(2)(5) in Manhattan, officers used physical force against \$87(2)(6) Allegation (M) Force: On March 22, 2022, at \$87(2)(6) in Manhattan, Police Officer Colleen Willis used physical force against \$87(2)(6) testified that while she was at §87(2)(b) PO Jones left only one of arms handcuffed to the stretcher (06 Board Review). At one point, \$87(2)(6) was in the



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said that after she was transported back to the stationhouse, and uncuffed, PO

Arustamyan allowed her to call her mother, but put the phone on speakerphone and held it (06 Board Review). As \$37(2)(0) explained the officers using force against her, PO Arustamyan continuously muted the phone and \$87(2)(6) tried to grab the phone. Approximately three or four officers tackled 187(2)(0) pushed PO Willis and "squared up" with her. An officer grabbed \$87(2)(6) and sat her down. The investigation could not obtain stationhouse footage because it expired. completed by Sgt. Cody notes that PO Arustamyan allowed \$87(2)(6) TRI § 87(2)(b) make a phone call but she wanted to do so in private (19 Board Review). When PO Arustamyan refused to allow her to do this, \$870,000 refused to go in her cell and PO Arustamyan had to take down to overcome her resistance and get her back in the cell. PO Arustamyan recalled that when he allowed saggregate to use his phone in the cells, she wanted him to leave her with it and he refused (20 Board Review). He and \$87000 then physically tussled with the phone back and forth and at some point, [87(2)6) fell on top of PO Arustamyan's arm. Unidentified officers arrived in the cells and helped him and \$87000 up. Officers put her back into the cell, but PO Arustamyan could not recall officers using any force to do this. He reviewed the TRI but could not remember forcibly taking \$87(2)(6) down. He did not remember himself nor any other officers tackling §87(2)(b) (21 Board Review). Sgt. Cody did not witness the incident but said that he reviewed stationhouse footage on that day (12 Board Review). He knew that three to four officers did not tackle [870] but could not recall the details of PO Arustamyan's takedown. PO Arustamyan was the only officer in the cells at that time and no other officers went in to help him. PO Willis denied being present (11 Board Review). PO Henry and PO Jones also denied being present (10, 11). said that three to four officers tackled her, but PO Arustamyan did not recall this, and Sgt. Cody said that it did not happen. Given that the investigation does not have any video evidence to corroborate any version of the events \$87(2)(g) § 87(2)(b) § 87(2)(g) Allegation (O) Force: On March 23, 2022, at 100 Centre Street in Manhattan, Police Officer Guo Chu used a chokehold against § 87(2)(b) Allegation (P) Force: On March 23, 2022, at 100 Centre Street in Manhattan, Police Officer Guo Chu restricted § 87(2)(6) breathing. Allegation (Q) Force: On March 23, 2022, at \$87(2)(6) in Manhattan, an officer used physical force against §87(2)(6) said that when officers took her to Manhattan Central Booking, they lost her evaluation papers and had to wait for them to be faxed over (06 Board Review). While waiting, \$87(2)(6) handcuffed \$87(2)(6) to the seat. The officers then took \$87(2)(6) to \$87(2)(6) she received a second psychiatric evaluation. As \$87(2)(0) walked around at the hospital, an officer grabbed second by the arm and swung her, causing her to hit her head onto a seat.

PO Chu testified that he and PO Sanchez transported a male prisoner to Central Booking with
(22 Board Review). When they arrived, PO Sanchez went to process the male, while
sat and waited with PO Chu. At some point, \$87(2)(0) asked PO Chu to remove her ankle
shackles and he refused to do so. \$87(2)(b) stood up, told PO Chu that she would spit on him and
approached him. To avoid being spat on, PO Chu extended his open palm to the front of his body
and contacted serons upper chest area. He did not apply any pressure and serons body
stopped moving. stold PO Chu that he choked her, two to three times, and PO Chu told
her that he did not but instead was preventing her from spitting on him. PO Chu did not grab
by her neck, push her into the seat and did not remember if he handcuffed her to the seat.
Since was not behaving, the supervisor at central booking said that she could not stay
there. Approximately five to ten minutes later, PO Sanchez returned. As per procedure, they
transported \$87(2)(b) to \$87(2)(b) He denied grabbing \$87(2)(b) arm, swinging her
and causing her head to hit the seat and he did not see any other officer do this. No additional
officers responded to the hospital. They later transported her back to the stationhouse.
PO Sanchez said that when he returned from processing the male, \$87(2)(0) said that PO Chu
choked her, but he did not see or hear what happened when he left with the male prisoner (23
Board Review). PO Sanchez also denied grabbing \$87(2)(6) arm, swinging her, and causing her
head to hit the seat and he did not see any other officer do this.
alleged that while she was at Manhattan Central Booking, PO Chu grabbed her by her
neck and pushed her into a seat, but PO Chu denied this, and PO Sanchez was not there to witness
this. § \$7(2)@
said that while she was at \$87(2)(b) and officer grabbed her by the arm and
swung her, causing her to hit her head onto a seat. PO Sanchez and PO Chu denied doing this and
did not see any other officer do this. \$87(2)(2)
Civilian and Officer CCRB Histories
Cithian and Officer CCAD Instances

- This is the first complaint in which \$87(2)(6) has been a party (28 Board Review):
- Sgt. Cody has been a member of service for nine years and has been subject to three other CCRB cases and six other allegations, none of which were substantiated. [887(2)]
- PO Chu has been a member of service for seven years and has been a subject in two other CCRB complaints and eight allegations, none of which were substantiated.
 - O Case 201809659 involves an allegation of physical force pled against Sgt Cody, which was closed as \$87(2)(2)

- Case 201903893 involves an allegation of physical force pled against PO Chu, which was closed as complainant uncooperative.
- PO Arustamyan has been a member of service for three years and this is the first complaint to which he is a subject.
- Sgt. Beaume has been a member of service for nineteen years and has been subject to three
 other CCRB cases and four other allegations, none of which were substantiated.
 - Case 201412139 involved an allegation of offensive language which was closed as complainant uncooperative.
- PO Willis has been a member of service for five years and this is the first case to which she has been a subject.
- PO Henry has been a member of service for 16 years and has been subject to four other cases and nine other allegations. [87(2)(9)]

Mediation, Civil, and Criminal Histories

- This case was not suitable for mediation.
- As of April 11, 2023, the New York City Office of the Comptroller has no record of a Notice of Claim being filed regarding this incident (29 Board Review).

Claim being filed regarding this incident (29 Board Review). • [\$ \$7(2)(6)] [\$\$ \$6(1)(3)&(4)] [\$ \$7(2)(6)]						
Squad: 06						
	Tilovah Williams	CI Tilayah Williams	05/08/2023			
investigator.	Tileyah Williams Signature	SI Tileyah Williams Print	Date			
Squad Leader:	_IM Jessica Peña Title/Signature	IM Jessica Peña Print	5/9/2023_ Date			